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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,389	12/16/2003	En-Yi Liao	10033.000400	5362
31894	7590	07/24/2006	EXAMINER	
OKAMOTO & BENEDICTO, LLP			SERRAO, RANODHI N	
P.O. BOX 641330			ART UNIT	PAPER NUMBER
SAN JOSE, CA 95164			2141	

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/737,389

Applicant(s)

LIAO, EN-YI

Examiner

Ranodhi Serrao

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-15 and 22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-15 and 22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### **Status of Claims**

1. Claims 1-9 and 16-21 have been cancelled.
2. Claims 10-15 and 22 are pending.

### ***Response to Arguments***

3. Applicant's arguments, see appeal brief, filed 21 February 2006, with respect to the rejection(s) of claim(s) 10-15 and 22 under Title 35 U.S.C. have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art reference(s). See rejections below.

### ***Claim Rejections - 35 USC § 102***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 10, 11, and 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Yeager et al. (2004/0088646).
6. As per claim 10, Yeager et al. teaches a method of transferring a file in a peer-to-peer computer network (§ 81), the method comprising: redirecting the file from a first peer node to an interception node (§ 911), the file being originally intended to be transferred directly from the first peer node to a second peer node (§ 913), the first peer node and the second peer node being computers in the peer-to-peer computer network

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(¶ 236); processing the file in the interception node (¶ 914); and transferring the file from the interception node to the second peer node (¶ 915).

7. As per claim 11, Yeager et al. teaches a method wherein the peer-to-peer computer network includes the Internet (¶ 435).

8. As per claim 13, Yeager et al. teaches a method wherein processing the file in the interception node comprises filtering a content of the file (¶ 911).

9. As per claim 14, Yeager et al. teaches a method wherein redirecting the file comprises: informing the second peer node that an address of the first peer node is that of the interception node (¶ 911: wherein it is inherent that a packet intercepted by proxy 246 and sent from it will have source and destination addresses relating to it).

10. As per claim 15, Yeager et al. teaches a method wherein transferring the file from the interception node to the second peer node comprises: querying a P2P server for location information of peer nodes involved in a transfer of the file (¶ 776); based on a response from the P2P server, identifying the second peer node as a node involved in the transfer of the file from the first peer node (¶ 777); and transferring the file from the interception node to the second peer node (¶ 912).

### ***Claim Rejections - 35 USC § 103***

11. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

12. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yeager et al. as applied to claim 10 above, and further in view of Joiner et al. (6,789,117).

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Yeager et al. teaches the mentioned limitations of claim 10 above but fails to teach a method wherein processing the file in the interception node comprises scanning the file for viruses. However, Joiner et al. teaches a method wherein processing the file in the interception node comprises scanning the file for viruses (see Joiner et al., col. 13, line 65-col. 14, line 4). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Yeager et al. to a method wherein processing the file in the interception node comprises scanning the file for viruses in order to scan network traffic and the detect intrusion in the network (see Joiner et al., col. 56-64).


13. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yeager et al. and Joiner et al. Yeager et al. teaches a method of transferring a file in a peer-to-peer computer network, the method comprising: transferring the file from a first peer node to an interception node (see Yeager et al., ¶ 911), the file being originally intended to be transferred directly from the first peer node to a second peer node (see Yeager et al., ¶ 913), the first peer node and the second peer node being computers in the peer-to-peer computer network (see Yeager et al., ¶ 236); and transferring the file from the interception node to the second peer node (see Yeager et al., ¶ 915). But fails to teach a method of scanning the file for viruses in the interception node. However, Joiner et al. teaches a method of scanning the file for viruses in the interception node (see Joiner et al., col. 13, line 65-col. 14, line 4). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Yeager et al. to a method of scanning the file for viruses in the interception node in order to scan network traffic and the detect intrusion in the network (see Joiner et al., col. 56-64).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ranodhi Serrao whose telephone number is (571)272-7967. The examiner can normally be reached on 8:00-4:30pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER